

NOTIFICATION OF ENHANCEMENT – POSSESSION OF SCHEDULE III, IV or V CONTROLLED SUBSTANCE

Defendant: _____, Case No. _____

ELEMENTS

58-37-8(2)(a)(i): It is unlawful for any person knowingly and intentionally to possess or use a schedule III, IV or V controlled substance without a valid prescription.

ENHANCEMENT / PENALTIES

58-37-8(2)(d): Knowingly and intentionally possessing or using a schedule III, IV or V controlled substance without a valid prescription is a class B misdemeanor for a first conviction. Upon a second conviction the person is guilty of a class A misdemeanor, and upon a third or subsequent conviction the person is guilty of a third degree felony.

53-3-220: The Driver License Division shall immediately suspend for six months the driver license of a person convicted of possessing or using a schedule III, IV or V controlled substance without a valid prescription.

Minimum / Maximum Sentences

Class B Misdemeanor: 0 days to 6 months jail; \$0 to \$1,890 fines and surcharges, plus interest

Class A Misdemeanor: 0 days to 1 year jail; \$0 to \$4,658 fines and surcharges, plus interest

3rd Degree Felony: 0 days to 5 years jail; \$0 to \$9283 fines and surcharges, plus interest

I understand the foregoing Notification of Enhancement as explained here and as orally explained to me.

Date

Defendant